

## ORDINANCE NO. 235

AN ORDINANCE APPROVING THE  
ANNEXATION OF "CHEROKEE ADDITION"

WHEREAS, on the 18th day of January, 1937 a petition was presented and filed with this City Council asking that certain inhabited new territory, therein described, be annexed to the City of Lodi and that an election be called and held in said territory upon the question whether said territory shall be annexed to incorporated in and made a part of the City of Lodi and the property therein be, after such annexation, subject to taxation equally with property in said City to pay that portion of the bonded indebtedness of the City of Lodi issued and outstanding at the date of said petition for annexation or theretofore authorized, and,

WHEREAS, after the filing of said petition and on its presentation to this City Council, the City Clerk of this City reported that the signatures annexed thereto were in excess of one-fourth ( $\frac{1}{4}$ ) of the number of electors residing in said proposed new territory, and this City Council did thereon pass and adopt its Resolution No. 877 wherein the hour of 8:00 o'clock P. M. of Monday, February 15, 1937 and the Council Chambers of this City Council in the City Hall of the City of Lodi were designated as the time and place where and when objections would be heard from property owners in the proposed new territory to annexation of the same. Said Resolution No. 877 also contained among other things a declaration of this City Council of its intention to call an election in said territory in not less than fifty (50) days from the date of the adoption thereof upon the question of whether the property in said territory shall be annexed to said City and after said annexation be taxed equally with the property now in the City of Lodi to pay that portion of the bonded indebtedness of said City issued and outstanding at the date of such election, and a copy of said Resolution No. 877 was published in time, form and manner as required by law in the Lodi News-Sentinel, a newspaper of general circulation printed and published in the City of Lodi, as is evidenced by the affidavit of D. B. Rinfret, the principal Clerk of the publisher of said Lodi News-Sentinel now on file and of record in the office of the City Clerk of this City, and,

WHEREAS, objections in writing were received from two owners of real property up to and including the date set for the hearing of protests and this City Council did find that said objections constituted less than a majority of the owners of real property in said district and that the said City Council had acquired jurisdiction to order and call an election upon the question of annexation and then did on the 15th day of February, 1937 pass and adopt its Resolution No. 880 ordering and calling and giving notice of a special election to be held in the said proposed new territory on Thursday, March 11, 1937, and;

WHEREAS due and proper notice of said election was given by publication of a notice thereof for once each week for the four (4) weeks next preceding the date set for the said election in the "STOCKTON RECORD", a newspaper of general circulation printed and published in San Joaquin County outside the City of Lodi, as is evidenced by the affidavit of Earl Lenfesty now on file and of record in the office of the City Clerk of this City, and,

WHEREAS, said election was held and conducted in accordance with law and the provisions contained in Resolution No. 880 on the said Thursday, the 11th day of March, 1937 and the votes cast thereat received and counted and the returns thereof transmitted to this City Council who did thereafter, at its next regular meeting held next after three days from the date of said election, to-wit held on the 15th day of March, 1937, canvass the returns of said election and declare the result thereof and as a result of said canvass this City Council herein finds and declares that the total number of votes cast at said election was Forty-three (43); that the total number of votes cast in favor of the proposal and for annexation was Twenty-nine (29); that the total number of votes cast against the proposal and against said annexation was Fourteen (14); and that the necessary majority of votes required by law were cast in favor of the proposal and for annexation, now therefore

The City Council of the City of Lodi does ordain as follows:

Section 1: That the annexation to the City of Lodi of the following described inhabited, unincorporated territory designated as "CHEROKEE ADDITION" be, and the same is hereby approved, ratified and confirmed, which said territory is contiguous to the City of Lodi, County of San Joaquin, State of California and is particularly bounded and described as follows:

Commencing at a point on the former West line of Cherokee Lane 660 feet Northerly and 40 feet Westerly from the Southeast corner of the Northeast one-quarter ( $\frac{1}{4}$ ) of Section 1, Township 3 North, Range 6 East, said point being the present Northeast corner of the City Limits of the City of Lodi; thence East 40 feet to the East line of Section 1, Township 3 North, Range 6 East; thence South on and along said section line to its intersection with the North line of Lot Forty-six (46) of Lawrence Homestead Addition as said lot is delineated and so designated on the official map of said addition on file and of record in the office of the County Recorder of San Joaquin County; thence Easterly on and along the North line of said Lot Forty-six (46) to the Northeast corner of said lot; thence Southerly on and along the East line of Lot Forty-six (46) to the Southeast corner of said lot; thence South on the Southerly projection of the East line of said Lot Forty-six (46) a distance of 30 feet to a point in the South line of Lockeford Road; thence Easterly on the south line of Lockeford Road to the East line of the West one-half ( $\frac{1}{2}$ ) of Section 6, Township 3 North, Range 7 East, thence Southerly on and along said East line of the West one-half ( $\frac{1}{2}$ ) of Section 6 to its intersection with the North line of Pope Avenue, thence West on and along the said North line of Pope Avenue to its intersection with the East line of Lot Thirteen (13) in "Live Oak Colony No. 1" as said Lot is delineated and so designated on the official map of said Live Oak Colony No. 1 on file and of record in the office of the County Recorder of San Joaquin County; thence Southwesterly across Pope Avenue to the Northeast corner of the West Twenty-five and eighty-eight one

hundredths (25.88) acres of the Southwest one-quarter ( $\frac{1}{4}$ ) of the Southwest one-quarter ( $\frac{1}{4}$ ) of Section 6, Township 3 North, Range 7 East, thence Southerly on and along the Easterly boundary of the said twenty-five and eighty-eight one hundredths (25.88) acre tract to the South line of Section 6, Township 3 North, Range 7 East, M. D. B. & M.; thence Westerly on and along said South line of Section 6 and its Westerly production to a point forty (40) feet West from the East line of Section 1, Township 3 North, Range 6 East, thence Northerly forty (40) feet distant from and parallel with said section line a distance of three thousand three hundred forty-three (3,343) feet to the point of beginning first herein mentioned.

Section 2: That the property within said territory shall from the date of the annexation thereof be subject to taxation equally with the property within said City of Lodi to pay all of the bonded indebtedness of said City outstanding at the date of the filing of said petition of annexation and at the date of the first publication of the notice of election as the amounts of said bonded indebtedness are set forth in the said Notice of Election.

Section 3: That the City Clerk of this City shall forthwith upon the taking effect of this Ordinance make and certify under the seal of the City of Lodi and transmit to the Secretary of State of the State of California a copy of this Ordinance giving the date of its passage.

Section 4: This Ordinance shall take effect and be in full force and effect at the time and in the manner provided by law.

I, hereby approve and sign the foregoing Ordinance No. 235 this 22nd day of March, 1937.

G. M. STEELE, Mayor.

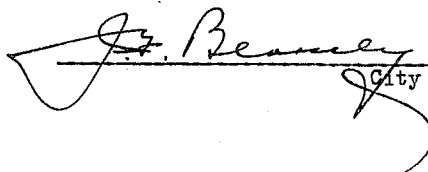
ATTEST: J. F. BLAKELY, City Clerk.

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I, hereby certify that the foregoing Ordinance No. 235 was regularly introduced on Monday, March 15, 1937 and thereafter finally passed and adopted at an adjourned regular meeting of the City Council held Monday, March 22, 1937 and that the same has been published according to law.

ATTEST:

  
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City Clerk

ANNEXATION OF THE DISTRICT DESCRIBED HEREIN WAS EFFECTIVE ON MARCH 30, 1937 ON WHICH DATE A CERTIFIED COPY OF THIS ORDINANCE WAS FILED WITH THE SECRETARY OF STATE AS REQUIRED BY THE ANNEXATION ACT OF 1913 AS AMENDED.